

STATE OF NEW JERSEY  
DEPARTMENT OF STATE  
NEW JERSEY STATE COUNCIL ON THE ARTS  
CODE OF ETHICS

The New Jersey State Council on the Arts is an agency of the State Government, established within the Department of State, for the purpose of simulating and encouraging the study and presentation of The performing and creative arts, and fostering public interest and support of the arts in the State of New Jersey. Chapter 182 of the Laws of 1971 [N.J.S.A. 52:13D-12, et seq.], known as the "New Jersey Conflicts of Interest Law", contains the following legislative findings: "To insure propriety and preserve public confidence, persons serving in government should have the benefit of specific standards to guide their conduct and of some disciplinary mechanism to ensure the uniform maintenance of those standards amongst them." Therefore, to guide and govern the conduct of State officers and employees or special State officers and employees of the New Jersey State Council on the Arts, the following rules and regulations are hereby adopted by the New Jersey State Council on the Arts pursuant to Section 12 of the "New Jersey Conflicts of Interest Law." N.J.S.A. 52:13D-23.

I. Definitions

1. As used in this Code of Ethics, and unless a different meaning clearly appears from the context, the following terms shall have the following meaning:

a. "Council" means the New Jersey State Council on the Arts.

b. "Members" means members of the New Jersey State Council on the Arts who receive no compensation other than a sum in reimbursement of expenses in that office and are, therefore, special State officers within the meaning of Section 2 of Chapter 182 of the Laws of 1971 [N.J.S.A. 52:13D-13(e)].

c. "Employee" means any person holding employment in the New Jersey Department of State who is deemed by the Secretary of State and the Council to be principally employed in connection with the work of the Council, but shall not mean any person employed in the capacity of an evaluator.

d. "Evaluator" means a person who is recognized as knowledgeable in a particular field of artistic endeavor and is employed on a part-time and temporary basis for the limited purpose of evaluating artistic merit or program feasibility of a performance or artistic work designated by the Council or its Executive Director. Such a person is not deemed to be an "employee" as that term is used in this Code.

## II. Employees

2. No employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest.

3. No employee shall engage in any particular business, profession, trade or occupation which is subject to licensing or regulation by a specific agency of State Government without promptly filing notice of such activity with the Executive Commission on Ethical Standards and with the Council.

4. No employee shall use or attempt to use his official position to secure unwarranted privileges or advantages for himself or others.

5. No employee shall act in his official capacity in any matter wherein he has a direct or indirect personal financial interest that might reasonably be expected to impair his objectivity or independence of judgment.

6. No employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair his objectivity and independence of judgment in the exercise of his official duties.

7. No employee shall accept any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred: that such-gift, service or other thing of value was given or offered for the purpose of influencing him in the discharge of his official duties.

8. No employee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his acts that he may be engaged in conduct violative of his trust as an officer or employee.

## III. Members and Employees

9. In view of the unique position of the Council, as an agency charged with stimulating and encouraging the study and presentation of the performing and creative arts in this State, and its function as a grant-making agency, the members and employees of the Council may accept and use tickets, without cost to themselves or to the Council from persons or organizations, and such acceptance and use by members and employees shall be deemed permissible conduct under this Code, provided: Tickets may be accepted and used by members or employees only where the Council shall determine that an evaluation of the event is required for administrative

purposes; No member or employee shall accept and use more than two (2) tickets without cost for any single program; Tickets will be distributed under the supervision of the Council, which shall maintain public records for at least a five year period indicating the numbers of free tickets distributed and to whom; Members and employees accepting and using such tickets without cost will provide a written evaluation of the program attended to the Council.

#### IV. Evaluators

10. No person employed by the Council in the capacity of an evaluator shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his duties, specifically to provide the Council with an objective evaluation of the artistic merit or program feasibility of performances or artistic works designated by the Council. Any prospective evaluator with reason to believe he may have such an interest in an individual or organization associated with a performance or artistic work must provide the Council, or its designated member or members, or Executive Director, with written notice prior to accepting any evaluation duties pertinent to the individual or organization in which he has reason to believe he may have an interest. An evaluator shall receive a copy of this Code prior to appointment by the Council, and such receipt shall be acknowledged in writing to the Executive Director.

Violations of this Code of Ethics shall be cause for removal, suspension, demotion or other disciplinary action by the Council on the Arts after opportunity for adequate hearing has been afforded; however, no action for removal or discipline shall be taken except upon the referral or with the approval of the Executive Commission on Ethical Standards as provided by Laws of 1971, Chapter 182, Section 10 [N.J.S.A. 52:13D-23].

The Council hereby declares that that the rules and regulations set forth herein are intended to be supplementary to all standards provided in Chapter 182 of the Law of 1971.

Adopted by-resolution this 13th day of June 1978.

New Jersey State Council on the Arts

By: \_\_\_\_\_  
Barbara Furst  
Chairman

By: \_\_\_\_\_  
Eileen Lawton  
Executive Director